

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Brian J. Grubbs**  
**Kelly A. Grubbs**  
Debtor(s)

Bankruptcy Case No.: 19-22570-CMB  
Issued Per Aug. 19, 2019 Proceeding  
Chapter: 13  
Docket No.: 26 - 16  
Concil. Conf.: January 9, 2020 at 01:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated July 17, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jan. 9, 2020 at 01:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Pheple Federal Credit Union at Claim No. 3 with payments determined by Trustee .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: August 23, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 6**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Brian J. Grubbs  
 Kelly A. Grubbs  
 Debtors

Case No. 19-22570-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

Page 1 of 3  
 Total Noticed: 54

Date Rcvd: Aug 23, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 25, 2019.

db/jdb  
 cr +Brian J. Grubbs, Kelly A. Grubbs, 464 Lemmon Road, Latrobe, PA 15650-5460  
 +PHEPLE FEDERAL CREDIT UNION f/k/a WESTMORELAND COM, 2900 SEMINARY DRIVE, BUILDING G, GREENSBURG, PA 15601-3734  
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828  
 15077875 +Allegheny Health Network, PO Box 645266, Pittsburgh, PA 15264-5250  
 15077876 +Altius Diagnostics Laboratory, 12100 Northup Way, Suite 110, Bellevue, WA 98005-1913  
 15077882 CBCS, PO Box 2724, Columbus, OH 43216-2724  
 15077877 +Cambria Thrift Consumer Discount Co., 112 Market Street, Johnstown, PA 15901-1609  
 15077883 +Cordant Health Solutions, 12015 E 46th Avenue #250, Denver, CO 80239-3107  
 15077889 Dentalworks, PO Box 64-3005, Cincinnati, OH 45264-3005  
 15077892 +Fenner Physician Building, 3 Penn Center West, Pittsburgh, PA 15276-0103  
 15077893 +GU, Inc., 3 Penn Center West, Suite 127, Pittsburgh, PA 15276-0112  
 15098662 +Harley-Davidson Credit Corp., PO Box 9013, Addison, Texas 75001-9013  
 15089184 +Hayt, Hayt & Landau, LLC, 2 Industrial Way West, PO Box 500, Eatontown, NJ 07724-0500  
 15077895 +Hayt, Hayt & Landau, LLC, 123 Broad Street, Suite 1660, Philadelphia, PA 19109-1003  
 15089185 +KML Law Group, P.C., Suite 5000 - BNY Independence Center, 701 Market Street, Philadelphia, PA 19106-1538  
 15077896 +Latrobe Hospital, One Mellon Way, Latrobe, PA 15650-1197  
 15077898 Mercury, PO Box 84064, Columbus, GA 31908-4064  
 15077899 +Mercury Card/ FB&T, 1415 Warm Springs Road, Columbus, GA 31904-8366  
 15077900 Norvelt Dental Center, 3940 State Route 981, Mount Pleasant, PA 15666-3716  
 15089194 +PHEPLE Credit Union, 1007 Georges Station Road, Greensburg, PA 15601-6982  
 15077904 +PNC, P.O. Box 15026, Wilmington, DE 19850-5026  
 15077902 Pediatrics Associates of Westmoreland, 555 West Newton St, Greensburg, PA 15601-2861  
 15107244 +Peoples Natural Gas Company LLC, c/o S. James Wallace, PC, 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828  
 15077903 Perfect Smile Dental Group, 29 North Main Street, Greensburg, PA 15601-2401  
 15098433 +Pheple Federal Credit Union, f/k/a Westmoreland Community FCU, 2900 Seminary Drive, Building G, Greensburg, PA 15601-3734  
 15077905 Premier Medical Laboratory Services, PO Box 27102, Greenville, SC 29616-2102  
 15077906 +Quest Diagnostics, PO Box 740717, Cincinnati, OH 45274-0717  
 15077907 +Radiologic Consultants, 717 E. Pittsburgh Street, Greensburg, PA 15601-2636  
 15089199 #+Ratchford Law Group, P.C., 409 Lackawanna Ave., STE 320, Scranton, PA 18503-2059  
 15077908 #+SRA Associates, Inc., 401 Minnetonka Road, Somerdale, NJ 08083-2914  
 15077909 SS Grover MD and Associates, 2640 Pitcairn Road, Monroeville, PA 15146-3309  
 15077910 +Synergetic Communication, Inc., 5450 N.W. Central #220, Houston, TX 77092-2061  
 15107061 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123  
 15077911 US Department of Education, PO Box 790336, Saint Louis, MO 63179-0336  
 15077912 US Dept of Education, 3130 Fairview Park Drive Suite 800, Falls Church, VA 22323  
 15089203 +Unity Township Tax Collector, 152 Beatty County Road, Latrobe, PA 15650-5464  
 15077913 +Westmoreland Hospital, 532 W. Pittsburgh Street, Greensburg, PA 15601-2282

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 24 2019 02:24:12  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 15077878 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 24 2019 02:24:09 Capital One,  
 PO Box 30281, Salt Lake City, UT 84130-0281  
 15077880 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 24 2019 02:23:48 Capital One,  
 P.O. Box 71083, Charlotte, NC 28272-1083  
 15077881 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 24 2019 02:24:34 Capital One Bank,  
 PO Box 30281, Salt Lake City, UT 84130-0281  
 15085307 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 24 2019 02:23:48  
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,  
 Charlotte, NC 28272-1083  
 15077884 +E-mail/Text: bankruptcy\_notifications@ccsusa.com Aug 24 2019 02:21:17 Credit Collection,  
 PO Box 607, Norwood, MA 02062-0607  
 15077885 +E-mail/Text: bankruptcy\_notifications@ccsusa.com Aug 24 2019 02:21:17  
 Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679  
 15077886 +E-mail/Text: ccusa@ccuhome.com Aug 24 2019 02:20:04 Credit Collections USA,  
 16 Distributor Drive, Suite 1, Morgantown, WV 26501-7209  
 15077887 +E-mail/PDF: creditonebknofications@resurgent.com Aug 24 2019 02:23:53 Credit One Bank,  
 P.O. Box 98872, Las Vegas, NV 89193-8872  
 15077888 +E-mail/PDF: creditonebknofications@resurgent.com Aug 24 2019 02:24:16 Credit One Bank,  
 PO Box 60500, City of Industry, CA 91716-0500  
 15077891 +E-mail/Text: bknotice@ercbpo.com Aug 24 2019 02:20:48 ERC, PO Box 23870,  
 Jacksonville, FL 32241-3870  
 15077890 +E-mail/Text: bknotice@ercbpo.com Aug 24 2019 02:20:48 Enhanced Recovery Corporation,  
 PO Box 57547, Jacksonville, FL 32241-7547  
 15077894 +E-mail/Text: bankruptcy\_notifications@hdfsl.com Aug 24 2019 02:21:05 Harley Davidson Credit,  
 3850 Arrowhead Dr, Carson City, NV 89706-2016  
 15077897 +E-mail/PDF: resurgentbknofications@resurgent.com Aug 24 2019 02:24:43 LVNV Funding,  
 P.O. Box 10497, Greenville, SC 29603-0497

District/off: 0315-2

User: jhel  
Form ID: 149

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Total Noticed: 54

Date Rcvd: Aug 23, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15109295 E-mail/PDF: resurgentbknnotifications@resurgent.com Aug 24 2019 02:24:17 LVNV Funding, LLC,  
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
15077901 E-mail/PDF: gecsedirecoverycorp.com Aug 24 2019 02:24:27 Paypal Credit, PO Box 71202,  
Charlotte, NC 28272-1202  
15079203 +E-mail/PDF: gecsedirecoverycorp.com Aug 24 2019 02:24:05 Synchrony Bank,  
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
TOTAL: 17

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr PNC BANK NATIONAL ASSOCIATION  
15089165\* +Allegheny Health Network, PO Box 645266, Pittsburgh, PA 15264-5250  
15089166\* +Altius Diagnostics Laboratory, 12100 Northup Way, Suite 110, Bellevue, WA 98005-1913  
15089171\* CBCS, PO Box 2724, Columbus, OH 43216-2724  
15089167\* +Cambria Thrift Consumer Discount Co., 112 Market Street, Johnstown, PA 15901-1609  
15077879\* Capital One, P.O. Box 30281, Salt Lake City, UT 84130-0281  
15089168\* Capital One, P.O. Box 30281, Salt Lake City, UT 84130-0281  
15089169\* Capital One, P.O. Box 71083, Charlotte, NC 28272-1083  
15089170\* +Capital One Bank, PO Box 30281, Salt Lake City, UT 84130-0281  
15089172\* +Cordant Health Solutions, 12015 E 46th Avenue #250, Denver, CO 80239-3107  
15089173\* +Credit Collection, PO Box 607, Norwood, MA 02062-0607  
15089174\* +Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679  
15089175\* +Credit Collections USA, 16 Distributor Drive, Suite 1, Morgantown, WV 26501-7209  
15089176\* +Credit One Bank, P.O. Box 98872, Las Vegas, NV 89193-8872  
15089177\* +Credit One Bank, PO Box 60500, City of Industry, CA 91716-0500  
15089178\* Dentalworks, PO Box 64-3005, Cincinnati, OH 45264-3005  
15089180\* +ERC, PO Box 23870, Jacksonville, FL 32241-3870  
15089179\* +Enhanced Recovery Corporation, PO Box 57547, Jacksonville, FL 32241-7547  
15089181\* +Fenner Physician Building, 3 Penn Center West, Pittsburgh, PA 15276-0103  
15089182\* +GU, Inc., 3 Penn Center West, Suite 127, Pittsburgh, PA 15276-0112  
15089183\* +Harley Davidson Credit, 3850 Arrowhead Dr, Carson City, NV 89706-2016  
15089187\* +LVNV Funding, P.O. Box 10497, Greenville, SC 29603-0497  
15089186\* +Latrobe Hospital, One Mellon Way, Latrobe, PA 15650-1197  
15089188\* Mercury, PO Box 84064, Columbus, GA 31908-4064  
15089189\* +Mercury Card/ FB&T, 1415 Warm Springs Road, Columbus, GA 31904-8366  
15089190\* Norvelt Dental Center, 3940 State Route 981, Mount Pleasant, PA 15666-3716  
15089195\* +PNC, P.O. Box 15026, Wilmington, DE 19850-5026  
15089191\* Paypal Credit, PO Box 71202, Charlotte, NC 28272-1202  
15089192\* Pediatrics Associates of Westmoreland, 555 West Newton St, Greensburg, PA 15601-2861  
15089193\* Perfect Smile Dental Group, 29 North Main Street, Greensburg, PA 15601-2401  
15089196\* Premier Medical Laboratory Services, PO Box 27102, Greenville, SC 29616-2102  
15089197\* +Quest Diagnostics, PO Box 740717, Cincinnati, OH 45274-0717  
15089198\* +Radiologic Consultants, 717 E. Pittsburgh Street, Greensburg, PA 15601-2636  
15089200\* +SRA Associates, Inc., 401 Minnetonka Road, Somerdale, NJ 08083-2914  
15089201\* SS Grover MD and Associates, 2640 Pitcairn Road, Monroeville, PA 15146-3309  
15089202\* +Synergetic Communication, Inc., 5450 N.W. Central #220, Houston, TX 77092-2061  
15089204\* US Department of Education, PO Box 790336, Saint Louis, MO 63179-0336  
15089205\* US Dept of Education, 3130 Fairview Park Drive Suite 800, Falls Church, VA 22323  
15089206\* +Westmoreland Hospital, 532 W. Pittsburgh Street, Greensburg, PA 15601-2282

TOTALS: 1, \* 38, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 25, 2019

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: jhel  
Form ID: 149

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Total Noticed: 54

Date Rcvd: Aug 23, 2019

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 23, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bkgroup@kmlawgroup.com  
Joseph Paul Covelli on behalf of Creditor PHEPLE FEDERAL CREDIT UNION f/k/a WESTMORELAND  
COMMUNITY FEDERAL CREDIT UNION covellilawoffices@yahoo.com  
Matthew M. Herron on behalf of Joint Debtor Kelly A. Grubbs mmh@thedebtdoctors.com,  
hgs@thedebtdoctors.com;alb@thedebtdoctors.com  
Matthew M. Herron on behalf of Debtor Brian J. Grubbs mmh@thedebtdoctors.com,  
hgs@thedebtdoctors.com;alb@thedebtdoctors.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,  
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 7